

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RICHARD HOEFT,

Plaintiff,

v.

CAPTAIN MICHAEL KASTEN,

Defendant.

ORDER

09-cv-116-bbc

On March 5, 2010, I granted defendant Captain Michael Kasten's motion for summary judgment in this case. I found that plaintiff Richard Hoeft failed to adduce sufficient evidence from which a reasonable jury could find that defendant violated plaintiff's Eighth Amendment rights.

Now before the court is plaintiff's notice of appeal and a request to proceed in forma pauperis on appeal. Because plaintiff was granted leave to proceed in forma pauperis in this court, he "may proceed on appeal in forma pauperis unless the district court shall certify that the appeal is not taken in good faith or shall find that the party is otherwise not entitled so to proceed." Fed. R. App. P. 24(a). I cannot certify that the appeal is not taken in good faith and I can see no other reason to deny plaintiff's request to proceed in forma pauperis.

ORDER

IT IS ORDERED that plaintiff's motion for leave to proceed in forma pauperis on appeal, dkt. #30, is GRANTED.

Entered this 30th day of March, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge